

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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KEVIN J. JOHNSON,

Plaintiff,

-v-

No. 9:12-CV-0210  
(DNH/TWD)

BRIAN FISCHER; and HAROLD H. GRAHAM,

Defendants.  
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APPEARANCES:

OF COUNSEL:

KEVIN J. JOHNSON, 98-B-0132  
Plaintiff pro se  
Wyoming Correctional Facility  
P.O. Box 501  
Attica, NY 14011

HON. ERIC T. SCHNEIDERMAN  
Attorney General for the State of New York  
Attorney for Defendants  
The Capitol  
Albany, NY 12224

CATHY Y. SHEEHAN, ESQ.  
Ass't Attorney General

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Pro se plaintiff Kevin J. Johnson brought this civil rights action pursuant to 42 U.S.C. § 1983. On August 5, 2014, the Honorable Thérèse Wiley Dancks, United States Magistrate Judge, advised by Report-Recommendation that defendants' motion for summary judgment pursuant to Federal Rule of Civil Procedure 56 be granted and plaintiff's complaint be dismissed. Plaintiff timely filed objections to the Report-Recommendation.

Based upon a de novo review of the portions of the Report-Recommendation to which

plaintiff objected, the Report-Recommendation is accepted and adopted in all respects. See  
28 U.S.C. § 636(b)(1).

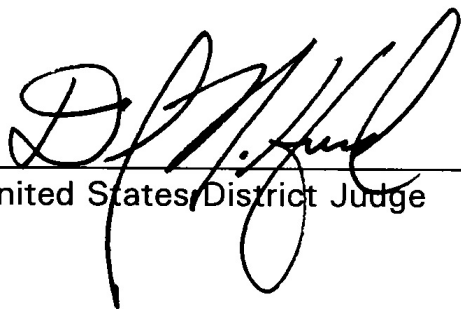
Therefore, it is

ORDERED that

1. Defendants' motion for summary judgment is GRANTED;
2. Plaintiff's complaint is DISMISSED in its entirety; and
3. The Clerk is directed to serve a copy of this Decision and Order upon plaintiff in

accordance with the Local Rules and close the file.

IT IS SO ORDERED.



United States District Judge

Dated: February 17, 2015  
Utica, New York.